THE MADRAS LEGISLATIVE ASSEMBLY

Thursday, 24th March 1955.

The House met in the Assembly Chamber, Government Estate, Mount Road, at half-past eight of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Advances under Well-subsidy Scheme, Malabar.

* 1707 *Q.*—SRI M. NARAYANA KURUP (on behalf of Dr. K. B. Menon) : Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government have issued instructions to recover immediately amounts advanced under the Well-subsidy Scheme in Malabar;

(*b*) whether representations have been received for permission to pay in instalments; and

(*c*) if so, what action the Government propose to take in the matter?

THE HON. SRI M. A. MANICKAVELU :—" (*a*) & (*b*) The answer is in the negative.

" (*c*) Does not arise."

Inspector-General of Registration.

* 1708 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state the reasons why an Assistant Secretary to Government was appointed as the Inspector-General of Registration on March 18, 1954, without consulting the Public Service Commission?

THE HON. SRI B. PARAMESWARAN :—" The appointment to the post of Inspector-General of Registration was made in accordance with the rules which provide for recruitment to the post by transfer from Assistant Secretaries to Government. The Commission's advice was not sought because consistently with the practice in the past and the Government's own intentions, consultation with the Commission was not necessary."

SRI K. P. GOPALAN :—" Are the Government aware that there is a special provision in Article 320 of the Constitution that if transfer from one department to another is to take place or if there is to be a change in service conditions, the Commission should be consulted? May I know whether the Government have received any note or criticism from the Public Service Commission in regard to the appointment under reference and what reply the

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Government have given? Are the Government aware that the way in which the appointment was made was a violation of the provisions of the Constitution?"

THE HON. SRI B. PARAMESWARAN :—" The matter was discussed with the Commission and the Government were satisfied that the appointment was made within the limits of the Constitution."

SRI M. NARAYANA KURUP :—" If the Government were sure of their position, will the Hon. Minister explain why an order was issued subsequent to the appointment or just before that, taking this post outside the purview of the Public Service Commission?"

THE HON. SRI B. PARAMESWARAN :—" It was left to the Government to issue such orders whenever they felt it necessary in the interests of the administration. There was nothing wrong in that."

SRI K. ARANGANATHAN :—" Was it a promotion or appointment?"

THE HON. SRI B. PARAMESWARAN :—" It was an acting appointment."

SRI S. PANCHAKSHARAM :—" Have not the Government the right to appoint such individuals to important posts when exigencies of public service so require?"

THE HON. SRI B. PARAMESWARAN :—" Yes, Sir."

THE HON. SRI C. SUBRAMANIAM :—" I would like to explain, Sir, that in making appointments of Heads of Departments, certainly the Government should have the ultimate voice. If necessary, they may consult the Public Service Commission also. But in all these cases of appointments of Heads of Departments, it should ultimately be the Government's choice."

SRI M. NARAYANA KURUP :—" Will the Government explain their stand that it is not necessary to consult the Public Service Commission in this matter and in issuing the order taking the post outside the purview of the Public Service Commission?"

THE HON. SRI C. SUBRAMANIAM :—" There was some doubt expressed in certain quarters that it might infringe certain rules. Therefore, to make it clear and free from any legal difficulties, that order was issued. In the past also all these appointments were made on Government's own initiative and the Public Service Commission was not consulted at all."

SRI K. P. GOPALAN :—" While there are people who have got more experience, who are capable of doing the work and who can be promoted, why have the Government specially appointed a person from the Secretariat to that post?"

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THE HON. SRI B. PARAMESWARAN :—" It was considered that the person who was available should undergo training for two years in the interests of administration. Therefore, we thought that we could give that particular person, who was available training and then appoint him."

SRI N. RAMAKRISHNA AYYAR :—" Did the Public Service Commission protest against the order mentioned by the hon. Member Sri Narayana Kurup? "

THE HON. SRI B. PARAMESWARAN :—" They did not protest actually. But they pointed out that it would have been much better if the Commission had been consulted."

SRI M. KALYANASUNDARAM :—" May I know whether an additional post of Joint Inspector-General of Registration was created and if so, what was the need for it? Was it created because there was need for it or for any other purpose? "

THE HON. SRI B. PARAMESWARAN :—" It was created because it was thought that a certain person who was available could be trained and appointed as Inspector-General of Registration after two years."

SRI M. NARAYANA KURUP :—" Is it not a fact that in making this appointment the claims of a number of persons were overlooked though the Government were competent to appoint persons who had special virtues? Will the Hon. Minister tell us what particular virtue this individual possessed against all the others who had priority? "

THE HON. SRI B. PARAMESWARAN :—" All the relevant factors were taken into consideration when this appointment was made. It was open to the Government to fill up the post of Inspector-General of Registration by the appointment of a person belonging to certain categories of posts. This is not a new practice. The Government have been following this practice for the last so many years. Consistently with that practice, they have appointed a particular person to the post. I do not think that the Government have in any way deviated from the principle."

Strike in Nagji Purushotam Company, Kozhikode.

* 1585 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Finance be pleased to state—

(*a*) how many workers were arrested by the police in connexion with the striek in Nagji Purushotam Company, Kozhikode, since 25th January 1955;

(*b*) how many workers were injured as a result of the lathi charge by the police;